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brought on by physical exertion in the rarified atmosphere of a mountain resort, where he had gone for his health, *held*, that since he died from doing what he intended to do though the result was not anticipated, his death was not the result of accidental means, and no recovery could be had on the accident policy.

An accident is generally defined as an unforeseen event which happens without the design or aid of a person. *Williams v. U. S. Mutual Acc. Ass'n.*, 38 N. Y. St. Rep. 378. But in order to recover on an accident insurance policy, it is not enough that the injury was unforeseen and without design. *Reynolds v. Equitable Acc. Ass'n.*, 49 Hun. (N. Y.) 605. The means which produced the injury must have been accidental. *U. S. Mutual Acc. Ass'n. v. Barry*, 131 U. S. 100. A person may do certain acts which may produce what is commonly called an accident, but unless in the acts which preceded the injury something unexpected or unusual happens, the means cannot be said to be accidental. *Clidero v. Scottish Acc. Ins. Co.*, 39 Scot. L. Rep. 303. So where one died from an injury received while swinging indian clubs, it was held that if the injury resulted from the use of the clubs in the ordinary way of taking exercise, such injury could not be attributed to accidental means; but if, as was the case, the injury was caused by a sudden movement while using the clubs due to an unforeseen obstruction, then the means was accidental and a recovery could be had. *McCarthy v. Travelers' Ins. Co.*, (U. S.) 1879, 7 Rep. 486.

JUDGMENTS—CONCLUSIVENESS—RECORD.—*CHILDRESS V. CARLEY ET AL.*, 46 So. 164 (Miss.).—*Held*, that a judicial record, purporting on its face to be complete as required by law, is in law not the subject of impeachment. *Whitfield, C. J., dissenting.*

The utmost verity it attached to judgments and they are not the subject of impeachment, where made by the proper tribunal acting within its jurisdiction, except by a direct attack by the authority of the state. *Kelley v. Dresser*, 93 Mass. 31. A judicial record cannot be affected by parol. *Kendall v. Powers*, 4 Metc. 553. The record, showing nothing irregular on its face, will be conclusively presumed to be correct in case of any collateral proceedings. *Dequindre v. Williams*, 31 Ind. 444; *Stroyer v. Richmond*, 16 Ohio St. 455. Mere irregularities in entering the judgment will not subject it to impeachment; provisions for filing and entering a judgment roll being looked upon as merely directory and not imperative. *Bennett v. Couchman*, 48 Barb. 73.

MASTER AND SERVANT—DUTIES DISTINGUISHED—NEGLIGENT DEPARTURE FROM REASONABLY SAFE METHOD OF WORK.—*PORTLAND GOLD MINING CO. V. DUCE*, 164 FED. 180.—*Held*, that as between master and servant, the duty of using a reasonably safe place, of so operating reasonably safe machinery, and of so conforming to an established and reasonably safe method of work, that injury will not be inflicted negligently is the duty of those to whom the work is intrusted and is no part of the positive duty of the master.

All that can be required of a master is that he use reasonable care to avoid exposing his servant to extraordinary risk. *Wonder v. B. & O. R. Co.*, 32 Md. 411. The duty of using a reasonably safe place and so operating